

### **Remark**

Applicants respectfully request reconsideration of this application as amended. Claims 1, 6-7, 10, 14, 16 and 19 have been amended. No claims have been cancelled. Therefore, claims 1-22 are present for examination.

### **35 U.S.C. §112 Rejection**

The Examiner has rejected claims 6 and 16-22 under 35 U.S.C. §112, second paragraph, as being indefinite. Claims 6, 16 and 19 have been amended to obviate this rejection.

### **35 U.S.C. §103 Rejection**

#### *Sharon in view of Nelson*

The Examiner has rejected claims 1-4, 6-8, 10-12, 14-18, 21 and 22 under 35 U.S.C. §103 (a) as being unpatentable over Sharon et al., U.S. Patent No. 6,205,122 (“Sharon”), in view of Nelson et al., U.S. Patent 5,835,720 (“Nelson”). The present invention as recited in, for example, Claim 1, recites at least one significant difference from Sharon and Nelson.

Claim 1 recites “receiving network discovery policies from the policy server... [and] identifying the second network device at the first network device in accordance with the received policies.” Sharon does not suggest the use of network discovery policies. The Examiner cites Sharon at Column 11, lines 4-24 as disclosing the use of network discovery policies. (see Office Action, mailed May 31, 2006 at pages 3-4). However, Sharon at Column 11, lines 4-24 discloses, in pertinent part, that each “agent

has a friend agent on at least one other segment for exchanging frames in order to map network topology.” Applicants are unable to find any suggestion in Sharon of the use of network discovery policies.

Nelson was not cited as disclosing the use of network discovery policies.

Applicants are unable to find any suggestion of the use of network policies in Nelson.

For at least the reason stated above, Claim 1 is believed to be allowable over the references. Claims 10 and 16 contain one or more of the limitations discussed above, among others, and are therefore believed to be allowable. The remaining claims are dependent upon one of the above claims and are believed to be allowable therefore as well as for the express limitations set forth in each claim, respectively.

### **35 U.S.C. §103 Rejection**

#### *Sharon, Nelson in view of Aggarwal*

The Examiner has rejected claims 5, 13 and 19 under 35 U.S.C. §103 (a) as being unpatentable over Sharon in view of Nelson, and in further view of Aggarwal et al., U.S. Patent No. 5,675,741 (“Aggarwal”). Aggarwal was not cited for and does not show the features absent from Sharon or Nelson as discussed above. Accordingly, this rejection is respectfully traversed.

### **35 U.S.C. §103 Rejection**

#### *Sharon, Nelson in view of Fishler*

The Examiner has rejected claims 9 and 20 under 35 U.S.C. §103 (a) as being unpatentable over Sharon in view of Nelson, and in further view of Fishler, U.S. Patent No. 6,507,646 ("Fishler"). Fishler was not cited for and does not show the features absent from Sharon or Nelson as discussed above. Accordingly, this rejection is respectfully traversed.

### **Conclusion**

Applicants respectfully submit that the rejections have been overcome by the amendment and remark, and that the claims as amended are now in condition for allowance. Accordingly, Applicants respectfully request the rejections be withdrawn and the claims as amended be allowed.

### **Invitation for a Telephone Interview**

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

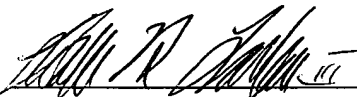
### **Request for an Extension of Time**

Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: August 31, 2006



Gordon R. Lindeen III  
Reg. No. 33,192

12400 Wilshire Boulevard  
7th Floor  
Los Angeles, California 90025-1030  
(303) 740-1980